FILED
JUN 23 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
vs.
Nicolas Cesareo,
Defendant.

CASE NO. 08CR0201-W

JUDGMENT OF DISMISSAL

FILED
JUN 27 2008
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

IT APPEARING that the defendant is now entitled to be discharged for the reason that:

___ an indictment has been filed in another case against the defendant and the Court has granted the motion of the Government for dismissal of this case, without prejudice; or

___ the Court has dismissed the case for unnecessary delay; or

___ the Court has granted the motion of the Government for dismissal; or

_X_ the Court has granted the motion of the defendant for dismissal.

___ a jury has been waived, and the Court has found the defendant not guilty; or

___ the jury has returned its verdict, finding the defendant not guilty;

_X_ of the offense(s) of: 8 USC 1326(a)and (b).

IT IS THEREFORE ADJUDGED that the defendant is hereby discharged.

DATED: 6/23/08

Thomas J. Whelan
UNITED STATES DISTRICT JUDGE

I have executed within Judgment of dismissal
~~Judgement and Commitment~~ on 6/24/08
United States Marshal
By: __________
USMS Criminal Section